



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES
ATTORNEY GENERAL

DIVISION OF REGIONAL OFFICES

April 8, 2020

Hon. Kenneth M. Karas
United States District Court
Southern District of New York
300 Quarropas Street
White Plains, NY 10601

Re: Keesh v. Quick et al., 19-cv-08942

Dear Hon. J. Karas:

Application granted as follows: Defendants' responses to the Complaint due 5/15/20; Defendants' Rule 4(C)(ii) letters are due to Plaintiff by 5/1/20, and Plaintiff's responses thereto are due 5/8/20. In the event Defendants still wish to file a motion to dismiss, pre-motion letters in accordance with Rule 2(C) are due by 5/15/20, Plaintiff's response thereto is due 5/22/20, and the Court will thereafter set a briefing schedule. The conference scheduled for 4/24/20 is canceled. Counsel for Defendants is instructed to deliver a copy of this Order to Plaintiff. The Clerk is instructed to terminate the letter-motion (Doc. 35).

SO ORDERED.

Philip M. Halpern
United States District Judge

Dated: New York, New York
April 16, 2020

This action is a 42 U.S.C. §1983 action that sounds in retaliation and conspiracy involving over ten (10) defendants. This action has been transferred to the Westchester Regional Office to the undersigned, AAG Powers. This letter motion requests that the court kindly reset the deadlines for Defendants to respond. Currently, the undersigned is having trouble accessing some of the defendants because they are deemed non-essential workers and are not at Sing Sing or in Albany due to COVID-19. The undersigned is awaiting approval to obtain their home phone numbers. The undersigned cannot properly respond without speaking to each defendant named in the action. In addition, the undersigned cannot access the physical file sent from our NYC Office. The Westchester Regional Office was closed while the undersigned was out on medical leave and no one is permitted into the office due to employees having contracted COVID-19. Also, on reading the Complaint, it is deficient as to several defendants and several allegations do not rise to the level of a constitutional violation. Hence, defendants will respond with a letter motion for leave to dismiss. Consequently, Defendants request that the Answer date be reset to May 15, 2020 and also request that the pretrial conference currently scheduled for April 24, 2020 at 10:00 a.m. for a date to be determined after Defendants file a response.

Respectfully,

AAG J. Powers

cc via Sing Sing IRC (office is closed and cannot access mail or send mail at this time)